

REMARKS

Claim 1 is rejected under 35 U.S.C. 103 (a) as being unpatentable over McNaught et al (1,798,481). Nevertheless, the Examiner has pointed out that claims 3-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Responsive to this, claim 3 is deleted and claim 1 is amended which is substantially the combination of original claims 1 and 3 so as to make the claimed invention more distinguishably patentable over the prior arts cited by the Examiner. It is believed that, the amended claim 1 has disclosed a structure whose construction and function are quite different from and patentably distinguishable over the cited prior arts. Therefore, it is believed that, the rejections under 35 U.S.C. 103 (a) should be removed, and the amended claim 1 should be allowable.

It is further submitted the claims 4 and 5 should be allowable as they are dependent upon the amended claim 1 which is believed to be allowable.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is captioned **"Version with markings to show changes made."**

In view of the foregoing amendments and remarks, Applicant submits that the application is now in a condition for allowance and such action is respectfully requested. If any points remain in issue, which the Examiner feels could best be

resolved by either a personal or a telephone interview, he is urged to contact Applicant's attorney at the exchange listed below.

Respectfully submitted,

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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as First-class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington D.C. 20231, Attention: NO FEE AMENDMENT, on the date indicated below:

Charles E. Baxley
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Signature

October 8, 2002
Date

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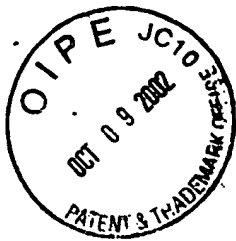
VERSION WITH MARKINGS TO SHOW CHANGES MADE
IN THE CLAIMS

Please cancel claim 3 and amend claim 1 as follows:

1. (Twice Amended) A ratchet tool comprising:

a ring-shaped head having a toothed member rotatably received therein and a handle having a first end pivotally inserted in said ring-shaped head, a recess defined in said first end of said handle, and

a pawl located in said ring-shaped head and between said handle and said toothed member, said pawl having teeth defined in a first side thereof so as to be engaged with said toothed member, **a flexible plate extending from said first side of said pawl and contacting said toothed member,** a protrusion extending from a second side of said pawl and engaged with said recess in said first end of said handle.



CLEAN VERSION OF CLAIMS

Please cancel claims 3 and amend claims 1 as follows:

1. (Twice Amended) A ratchet tool comprising:

a ring-shaped head having a toothed member rotatably received therein and a handle having a first end pivotally inserted in said ring-shaped head, a recess defined in said first end of said handle, and

a pawl located in said ring-shaped head and between said handle and said toothed member, said pawl having teeth defined in a first said thereof so as to be engaged with said toothed member, a flexible plate extending from said first said of said pawl and contacting said toothed member, a protrusion extending from a second said of pawl and engaged with said recess in said first end of said handle.